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E-FILED 10/9/07

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

FACEBOOK, INC., and MARK ZUCKERBERG,

Plaintiffs,

v.

CONNECTU LLC, (now known as CONNECTU INC.) CAMERON WINKLEVOSS, TYLER WINKLEVOSS, DIVYA NARENDRA, PACIFIC NORTHWEST SOFTWARE, INC., WINSTON WILLIAMS, WAYNE CHANG, and DAVID GUCWA, and DOES 1-25,

Defendants.

CASE NO. C 07-01389 RS

DEFENDANTS' ADMINISTRATIVE MOTION TO FILE UNDER SEAL EXHIBIT XXV TO DECLARATION OF SCOTT R. MOSKO IN SUPPORT OF DEFENDANTS CAMERON WINKLEVOSS, TYLER WINKLEVOSS AND DIVYA NARENDRA'S REPLY TO PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION

DECLARATION OF SCOTT R. MOSKO

~~[PROPOSED]~~ ORDER

Date: October 10, 2007
Time: 9:30 a.m.
Dept.: 4
Judge: Hon. Richard Seeborg

Dockets.Justia.com

ADMINISTRATIVE MOTION FOR FILING UNDER SEAL

1. Papers Submitted For Filing Under Seal in Their Entireties

Pursuant to Civil Local Rules 7-11 and 79-5(b), Defendants respectfully hereby request leave of Court to file under seal in their entireties the following documents being lodged with the Clerk:

EXHIBIT XXV TO DECLARATION OF SCOTT R. MOSKO IN SUPPORT OF DEFENDANTS CAMERON WINKLEVOSS, TYLER WINKLEVOSS AND DIVYA NARENDRA'S REPLY TO PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION

Exhibit XXV is a copy of ccertain pages from the transcript of deposition of Defendant ConnectU LLC by Cameron Winklevoss taken on January 16, 2006 in the Superior Court for the County of Santa Clara action, Case No. 1:05-CV-047381. This deposition transcript was designated as Highly Confidential by Defendants under the Stipulated Protective Order issued in the state court case. This exhibit should remain sealed from public viewing pursuant to Civil Local Rule 79-5(b).

As required by Civil Local Rule 79-5(b), Defendants are lodging with the Clerk copies of the documents which have been designated "Highly Confidential" and "Confidential" (for filing under seal).

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SUPPORTING DECLARATION OF SCOTT R. MOSKO

I, Scott R. Mosko, declare as follows:

1. I am an attorney admitted to practice in the State of California and the United States District Court for the Northern District of California, and a partner of Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P., attorneys of record for Defendants Cameron Winklevoss, Tyler Winklevoss and Divya Narendra. The matters referred to in this declaration are based on my personal knowledge and if called as a witness I could, and would, testify competently to those matters.

2. The representations made above in this Administrative Motion are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed this 26th day of September, 2007, at Palo Alto, California.

By: /s/
Scott R. Mosko

~~[PROPOSED]~~ ORDER

Upon good cause shown, **IT IS HEREBY ORDERED** that the following documents shall be received and filed under seal in their entireties by the Clerk:

Exhibit XXV to Declaration of Scott R. Mosko in Support of Defendants Cameron Winklevoss, Tyler Winklevoss and Divya Narendra's Reply to Plaintiffs' Opposition to Defendants' Motion to Dismiss For Lack of Personal Jurisdiction

Dated: October 9, 2007

United States Magistrate Judge